

R E M A R K S

Claims 1-8 are pending in this application.

Drawings

The requirement for new drawings is traversed. While it is understandable that the Examiner requested new drawings, it is the specification that required amendment and not the drawings. The specification has now been amended to be completely consistent with the drawings. New drawings are not required.

Specification

The rejection of the Abstract in paragraph 2 of the outstanding Office Action is traversed but is rendered moot by the newly submitted Abstract, which is in a single paragraph and contains fewer than 150 words.

Claim Objections

The rejection of claims 4, 6 and 8 in paragraphs 3, 4 and 5 of the outstanding Office Action is traversed, but has been rendered moot by the present amendments to the claims.

Claim Rejections under 35 U.S.C. 112

The rejection of claims 1, 4-5 and 8 in paragraphs 6, 7, and 8 of the outstanding Office Action is traversed but has been rendered

moot by the present amendments. Support for the amendments to the claims can be found in the specification on page 17, at line 17.

Claim Rejection under 35 U.S.C. 102

The rejection of claims 1-8 in paragraphs 9 and 10 of the outstanding Office Action is traversed, but has been rendered moot by the concurrently submitted certified translation of the priority document. As the Examiner can see, all pending claims are fully supported in the priority document. This application is entitled to the July 6, 2000 filing date of Japanese Application 2000-204728, i.e., the priority document. The earliest possible effective date of U.S. Patent application publication number US 2002/0028368 A1 (Saito) is its actual July 3, 2001 filing date in the United States. Since the instant case is entitled to an earlier priority date in Japan, Saito is simply not "prior art" as that term is employed in the U.S. patent laws.

Conclusion

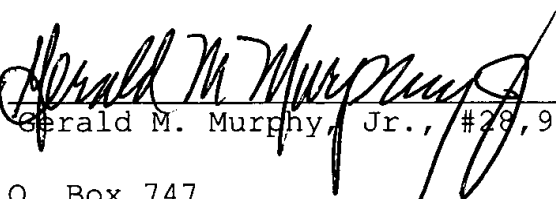
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact David R. Murphy (Reg. No. 22,751) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Gerald M. Murphy, Jr., #28,977

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

GMM/DRM:bmp
0171-0763P

Attachment(s): Certified translation of Japanese Patent
Application No. 2000-204728